

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

CARRIE KING-HARDY,	:	
Plaintiff,	:	
	:	
-vs-	:	Civ. No. 3:01cv979 (PCD)
	:	
BLOOMFIELD BOARD OF	:	
EDUCATION, <i>et al.</i> ,	:	
Defendants.	:	

**RULING ON MOTIONS FOR RECONSIDERATION OF RULINGS DENYING
MOTION TO WITHDRAW ADMISSIONS AND GRANTING MOTION TO
PRECLUDE DOCUMENTARY EVIDENCE AND EXPERT WITNESSES**

Plaintiff moves for reconsideration of the rulings denying her motion to withdraw admissions and granting defendants' motion to preclude documentary evidence and expert witnesses. For the reasons set forth herein, plaintiff's motions for reconsideration are granted but the prior rulings are adhered to.

The majority of plaintiff's arguments do no more than rehash old arguments. A motion for reconsideration should point out data or controlling decisions overlooked by the Court in rendering its decision. *Schrader v. CSX Transportation, Inc.*, 70 F.3d 255, 256 (2d Cir.1995). It "is not a vehicle for relitigating old issues . . . or otherwise taking a 'second bite at the apple.'" *Sequa Corp. v. GBJ Corp.*, 156 F.3d 136, 144 (2d Cir. 1998).

Plaintiff argues that the rulings failed to consider her duty to update her responses to requests for admissions, the burden on the party opposing withdrawal of admissions to show prejudice and the proper procedures to be followed in orders precluding evidence. The obligation to amend seasonably responses to requests for admissions pursuant to FED. R. CIV. P. 26(e)(2) is inapposite as plaintiff failed

to respond at all to the requests for admission as required by FED. R. CIV. P. 36(a). The prior ruling adequately addresses plaintiffs arguments on whether defendant was required to show prejudice to preclude withdrawal of admissions and the issue will not now be revisited without plaintiff first addressing the authority cited therein and how reliance on the same was improper. Plaintiff's attempt to reargue the procedures followed in ruling on the motion to preclude suffers from the same infirmity and need not be considered further.

Plaintiff's motions for reconsideration of the ruling denying her motion to withdraw admissions (Doc. 65) and of the ruling granting defendants' motion to preclude documentary evidence and expert witnesses (Doc. 68) are **granted** but the prior rulings are adhered to.

SO ORDERED.

Dated at New Haven, Connecticut, March ___, 2002.

Peter C. Dorsey
United States District Judge